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RCE1327  
JUN 13  
6/10/03

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number 09/648,020

Filing Date 08/25/2000

First Named Inventor Andrew Eric Wildman

Group Art Unit 3727

Examiner Name Eloshway, Niki

Attorney Docket Number 006593-1880

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

**1. Submission required under 37 C.F.R. § 1.114**

- a.  Previously submitted  
i.  Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).  
ii.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on 21 April 2003  
iii.  Other \_\_\_\_\_
- b.  Enclosed  
i.  Amendment/Reply  
ii.  Affidavit(s)/Declaration(s)  
iii.  Information Disclosure Statement (IDS)  
iv.  Other \_\_\_\_\_

**2. Miscellaneous**

- a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)  
b.  Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a.  The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 20-0809 06/06/2003 AWONDAF1 00000114 09648020  
i.  RCE fee required under 37 C.F.R. § 1.17(e) 01 FC:1801 750.00 00  
ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) The Commissioner is hereby authorized to charge any additional fees required (including the fee for any extension of time), or to  
iii.  Other credit any overpayment, to Deposit Acct No. 20-0809  
b.  Check in the amount of \$ 1,050.00 enclosed  
c.  Payment by credit card (Form PTO-2038 enclosed)

RECEIVED  
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USPTO 3700 MAIL ROOM**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Michael J. Nieberding	Registration No. (Attorney/Agent)	39,316
Signature		Date	6/2/03

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Michael J. Nieberding		
Signature		Date	6/2/03

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